

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMG Services, Inc. et al.,

Defendants, and

Park 269 LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**DECLARATION OF NIKHIL
SINGHVI IN SUPPORT OF
PLAINTIFF FEDERAL TRADE
COMMISSION'S MOTION
FOR SUMMARY JUDGMENT**

I, Nikhil Singhvi, declare as follows:

I am an attorney employed by the Federal Trade Commission (“FTC”) and counsel of record for the FTC in this matter. I submit this declaration in support of the FTC’s motion for summary judgment. The exhibits attached to this declaration are filed under seal for the reasons stated forth in the FTC’s accompanying motion for leave to file under seal.

1. Attached to this declaration as **Exhibit 1** is a true and correct copy of the MNE Services, Inc. (“MNES”) Answer to the FTC’s First Amended Complaint (Docket No. 404).

2. Attached to this declaration as **Exhibit 2** is a true and correct copy of the transcript of the Aug. 7-8, 2013 deposition of Defendants’ Rule 30(b)(6) witness, Natalie Dempsey, without exhibits.

3. Attached to this declaration as **Exhibit 3** is a true and correct copy of the FTC’s First Amended Complaint (Docket No. 386).

4. Attached to this declaration as **Exhibit 4** is a true and correct copy of the SFS, Inc. (“SFS”) Answer to the FTC’s First Amended Complaint (Docket No. 409).

5. Attached to this declaration as **Exhibit 5** is a true and correct copy of the Red Cedar Services (“Red Cedar”) Answer to the FTC’s First Amended Complaint (Docket No. 408).

6. Attached to this declaration as **Exhibit 6** is a true and correct copy of the AMG Services, Inc. (“AMG”) Answer to the FTC’s First Amended Complaint (Docket No. 403).

7. Attached to this declaration as **Exhibit 7** is a true and correct copy of the transcript of the Oct. 4, 2012 deposition of SFS’s Rule 30(b)(6) witness, Lee Ickes, without exhibits.

8. Attached to this declaration as **Exhibit 8** is a true and correct copy of the Declaration of Natalie Dempsey (without exhibits), originally attached as Exhibit TLDX 4 to Defendants’ Joint Opposition to Preliminary Injunction (Docket No. 70).

9. Attached to this declaration as **Exhibit 9** are excerpts from a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 0003640-97. The full document is available to the Court upon request.

10. Attached to this declaration as **Exhibit 10** are excerpts from a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00201450-577. The full document is available to the Court upon request.

11. Attached to this declaration as **Exhibit 11** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00004078-83. This document is a copy of one of Defendants’ loan contracts obtained by the FTC from a consumer: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

12. Attached to this declaration as **Exhibit 12** is a true and correct copy of the transcript of the August 28, 2013 deposition of Crystal Grote, without exhibits.

13. Attached to this declaration as **Exhibit 13** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021327-31.

14. Attached to this declaration as **Exhibit 14** is a true and correct copy of a document originally attached as Ex. PX22, Att. BC to the FTC’s Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). This document is a screenshot of the

500FastCash “How It Works” webpage, captured by the FTC on January 23, 2012 using the web capture application of the Adobe Acrobat software.

15. Attached to this declaration as **Exhibit 15** is a true and correct copy of a document originally attached as Ex. PX22, Att. BH to the FTC’s Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). This document is a screenshot of the Ameriloan “How It Works” webpage, captured by the FTC on January 23, 2012 using the web capture application of the Adobe Acrobat software.

16. Attached to this declaration as **Exhibit 16** is a true and correct copy of a document originally attached as Ex. PX22, Att. BJ to the FTC’s Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). This document is a screenshot of the OneClickCash “How It Works” webpage, captured by the FTC on January 23, 2012 using the web capture application of the Adobe Acrobat software.

17. Attached to this declaration as **Exhibit 17** is a true and correct copy of a document originally attached as Ex. PX22, Att. BN to the FTC’s Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). This document is a screenshot of the UnitedCashLoans “How It Works” webpage, captured by the FTC on January 23, 2012 using the web capture application of the Adobe Acrobat software.

18. Attached to this declaration as **Exhibit 18** is a true and correct copy of a document originally attached as Ex. PX22, Att. BP to the FTC’s Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). This document is a screenshot of the USFastCash “How It Works” webpage, captured by the FTC on January 23, 2012 using the web capture application of the Adobe Acrobat software.

19. Attached to this declaration as **Exhibit 19** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00004095-99. This document is a copy of one of Defendants’ loan contracts obtained by the FTC from a consumer: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

20. Attached to this declaration as **Exhibit 20** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00416926-30.

21. Attached to this declaration as **Exhibit 21** is a true and correct copy of AMG's Second Amended Responses To FTC's Third Set Of Interrogatories.

22. Attached to this declaration as **Exhibit 22** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00003866-70. This document is a copy of one of Defendants' loan contracts obtained by the FTC from a consumer: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

23. Attached to this declaration as **Exhibit 23** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00002251-62. This document contains a copy of one of Defendants' loan contracts obtained by the FTC from the Colorado Office of the Attorney General: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

24. Attached to this declaration as **Exhibit 24** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00002494-527. This document contains a copy of one of Defendants' loan contracts obtained by the FTC from the Colorado Office of the Attorney General: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

25. Attached to this declaration as **Exhibit 25** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00424583-85.

26. (Intentionally omitted.)

27. Attached to this declaration as **Exhibit 27** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00053203-36.

28. Attached to this declaration as **Exhibit 28** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00064795-861.

29. Attached to this declaration as **Exhibit 29** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00005005.

30. Attached to this declaration as **Exhibit 30** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056678.

31. Attached to this declaration as **Exhibit 31** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00003698.

32. Attached to this declaration as **Exhibit 32** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00201478.

33. Attached to this declaration as **Exhibit 33** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00029703-8.

34. Attached to this declaration as **Exhibit 34** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00448896.

35. Attached to this declaration as **Exhibit 35** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00006750-73.

36. Attached to this declaration as **Exhibit 36** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00199589-602.

37. Attached to this declaration as **Exhibit 37** is a true and correct copy of a document originally attached as Ex. PX22, Att. FH to the FTC's Memorandum for Preliminary Injunction and Other Equitable Relief (Docket No. 5). During the course of its investigation, the FTC reviewed and calculated accurate APRs on loans issued by Defendants. To calculate accurate APRs on closed-end loans under TILA and Regulation Z, the FTC uses a computer program created by the Office of the Comptroller of the Currency called "APRWIN." The necessary data to calculate the APR for a \$300 loan came from the contract documents and payment schedule attached to this declaration as Exhibits 19 and 29. The FTC entered data as to the required payment amounts and payment dates into the program. The program calculated that

the true APR for this consumer's loan was 727.3669% and that Defendants' disclosed APR of 684.38% had been understated by 42.9869 percentage points. Exhibit 37 represents a true and correct copy of the APRWIN report.

38. Attached to this declaration as **Exhibit 38** is a true and correct copy of the FTC's Responses to AMG's First Set of Interrogatories.

39. Attached to this declaration as **Exhibit 39** are true and correct copies of several documents produced by the FTC during discovery with the Bates numbers: FTC-CLK-00002440-1, FTC-CLK-0018287-92, FTC-CLK-00004095-99, FTC-CLK-00002255-59, FTC-CLK-00002504-15. These documents contain copies of Ameriloan loan disclosures over time, obtained by the FTC from consumers or produced by the Colorado Office of the Attorney General and Intercept (Defendants' third party payment processor) pursuant to third party subpoenas. Their appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

40. (Intentionally omitted.)

41. Attached to this declaration as **Exhibit 41** is a true and correct copy of a business records certification supplied to the FTC by Intercept.

42. Attached to this declaration as **Exhibit 42** are true and correct copies of several documents produced by the FTC during discovery with the Bates numbers: FTC-CLK-0018446-49 and FTC-CLK-00004078-83. These documents contain copies of 500FastCash loan disclosures over time, obtained by the FTC from consumers or produced by Intercept pursuant to a third-party subpoena. Their appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants. Exhibit 42 also includes a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00660187-99.

43. Attached to this declaration as **Exhibit 43** are true and correct copies of several documents produced by the FTC during discovery with the Bates numbers: FTC-CLK-00002811-16, FTC-CLK-00002840-44, FTC-CLK-00018458-61, FTC-CLK-00018565-69, and

FTC-CLK-00004412-24. These documents contain copies of OneClickCash loan disclosures over time, obtained by the FTC from consumers or produced by the Colorado Office of the Attorney General and Intercept. Their appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

44. Attached to this declaration as **Exhibit 44** are true and correct copies of several documents produced by the FTC during discovery with the Bates numbers: FTC-CLK-00018262-67, FTC-CLK-00002937-39, FTC-CLK-00005203-7, FTC-CLK-00003866-70, and FTC-CLK-00004788-801. These documents contain copies of UnitedCashLoans loan disclosures over time, obtained by the FTC from consumers or produced by the Colorado Office of the Attorney General and Intercept. Their appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants.

45. Attached to this declaration as **Exhibit 45** are true and correct copies of several documents produced by the FTC during discovery with the Bates numbers: FTC-CLK-00003396-7, FTC-CLK-00003364-65, FTC-CLK-00018470-73, and FTC-CLK-00003326-30. These documents contain copies of USFastCash loan disclosures over time, obtained by the FTC from the Colorado Office of the Attorney General and Intercept. Their appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of loan contracts produced by Defendants. Exhibit 45 also includes a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00003500-05.

46. Attached to this declaration as **Exhibit 46** are true and correct copies of documents produced by AMG during discovery with the Bates numbers: AMG_00457989-94, AMG_00207862, and AMG_00207932. Included in Exhibit 46 are also true and correct copies of documents produced by SFS during discovery with the Bates numbers Phase 1 Long Term 005081-84. These documents contain copies of Advantage Cash Services (formerly known as “ACE Cash Services”) loan disclosures over time.

47. Attached to this declaration as **Exhibit 47** are true and correct copies of documents produced by AMG during discovery with the Bates numbers: AMG_00056307-10,

AMG_00272343, and AMG_00272408. These documents contain copies of StarCashProcessing loan disclosures over time.

48. Attached to this declaration as **Exhibit 48** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00138336-92.

49. Attached to this declaration as **Exhibit 49** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056857.

50. Attached to this declaration as **Exhibit 50** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00017323-24. The document was produced by Intercept to the FTC pursuant to a third party subpoena. Exhibit 41 is a true and correct copy of a business records certification supplied to the FTC by Intercept.

51. Attached to this declaration as **Exhibit 51** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00438788-93.

52. Attached to this declaration as **Exhibit 52** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057746-49.

53. Attached to this declaration as **Exhibit 53** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057775-77.

54. Attached to this declaration as **Exhibit 54** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057783-85.

55. Attached to this declaration as **Exhibit 55** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057786-88.

56. Attached to this declaration as **Exhibit 56** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057913.

57. Attached to this declaration as **Exhibit 57** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00664039.

58. Attached to this declaration as **Exhibit 58** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00385794.

59. Attached to this declaration as **Exhibit 59** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00044508-14.

60. Attached to this declaration as **Exhibit 60** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056835-52.

61. Attached to this declaration as **Exhibit 61** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00527116.

62. Attached to this declaration as **Exhibit 62** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056094-97.

63. Attached to this declaration as **Exhibit 63** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00060526.

64. Attached to this declaration as **Exhibit 64** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021368-72.

65. Attached to this declaration as **Exhibit 65** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021400-3.

66. Attached to this declaration as **Exhibit 66** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00020606-86.

67. Attached to this declaration as **Exhibit 67** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021870-76.

68. Attached to this declaration as **Exhibit 68** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00054747.

69. Attached to this declaration as **Exhibit 69** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00025891-95.

70. Attached to this declaration as **Exhibit 70** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00043111-13.

71. Attached to this declaration as **Exhibit 71** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00427389-93.

72. Attached to this declaration as **Exhibit 72** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00386254-55.

73. (Intentionally omitted.)

74. Attached to this declaration as **Exhibit 74** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00007376.

75. Attached to this declaration as **Exhibit 75** is a true and correct copy of the transcript of the August 29, 2013 deposition of Sara Glass, without exhibits.

76. Attached to this declaration as **Exhibit 76** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00023069-75.

77. Attached to this declaration as **Exhibit 77** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00006483-84.

78. Attached to this declaration as **Exhibit 78** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00005564.

79. Attached to this declaration as **Exhibit 79** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00060014.

80. Attached to this declaration as **Exhibit 80** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_0036257-58.

81. Attached to this declaration as **Exhibit 81** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665805. The audio recording is included at Exhibit 82.

82. **Exhibit 82** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665805. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

83. Attached to this declaration as **Exhibit 83** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665806. The audio recording is included at Exhibit 84.

84. **Exhibit 84** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665806. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

85. Attached to this declaration as **Exhibit 85** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665807. The audio recording is included at Exhibit 86.

86. **Exhibit 86** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665807. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

87. Attached to this declaration as **Exhibit 87** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665789. The audio recording is included at Exhibit 88.

88. **Exhibit 88** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665789. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

89. Attached to this declaration as **Exhibit 89** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00393491. The audio recording is included at Exhibit 90.

90. **Exhibit 90** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00393491. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

91. Attached to this declaration as **Exhibit 91** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00431811. The audio recording is included at Exhibit 92.

92. **Exhibit 92** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00431811. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

93. Attached to this declaration as **Exhibit 93** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056521.

94. Attached to this declaration as **Exhibit 94** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056636-38.

95. Attached to this declaration as **Exhibit 95** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00544217.

96. Attached to this declaration as **Exhibit 96** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00544218.

97. Attached to this declaration as **Exhibit 97** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00544219.

98. Attached to this declaration as **Exhibit 98** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00024797-800.

99. Attached to this declaration as **Exhibit 99** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021661-66.

100. Attached to this declaration as **Exhibit 100** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00390848.

101. Attached to this declaration as **Exhibit 101** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056627.

102. Attached to this declaration as **Exhibit 102** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056620.

103. Attached to this declaration as **Exhibit 103** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00004428-43.

104. Attached to this declaration as **Exhibit 104** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056625.

105. Attached to this declaration as **Exhibit 105** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00012210-11.

106. Attached to this declaration as **Exhibit 106** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00060352-54.

107. Attached to this declaration as **Exhibit 107** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00060348-51.

108. Attached to this declaration as **Exhibit 108** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057869.

109. Attached to this declaration as **Exhibit 109** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00248114.

110. Attached to this declaration as **Exhibit 110** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00432654-55.

111. Attached to this declaration as **Exhibit 111** is a true and correct copy of a document produced by SFS during discovery with the Bates numbers Phase 1 Long Term 001023-124.

112. Attached to this declaration as **Exhibit 112** is a true and correct copy of the transcript of the April 12, 2013 deposition of Joshua Kendall, without exhibits.

113. Attached to this declaration as **Exhibit 113** is a true and correct copy of the transcript of the April 10, 2013 deposition of Susan Oxenford, without exhibits.

114. Attached to this declaration as **Exhibit 114** is a true and correct copy of the declaration of Joshua Kendall.

115. Attached to this declaration as **Exhibit 115** is a true and correct copy of the declaration of Susan Oxenford.

116. Attached to this declaration as **Exhibit 116** is a true and correct copy of the declaration of Sara Glass.

117. Attached to this declaration as **Exhibit 117** is a true and correct copy of the declaration of Ivan Valdivia.

118. Attached to this declaration as **Exhibit 118** is a true and correct copy of the transcript of the July 9, 2013 deposition of Kellye Sliger, without exhibits.

119. Attached to this declaration as **Exhibit 119** is a true and correct copy of the transcript of the July 19, 2013 deposition of Eric Barboza, without exhibits.

120. Attached to this declaration as **Exhibit 120** is a true and correct copy of the transcript of the July 9, 2013 deposition of Angela Vanderhoof, without exhibits.

121. Attached to this declaration as **Exhibit 121** is a true and correct copy of the declaration of Eric Barboza, without exhibits.

122. Attached to this declaration as **Exhibit 122** is a true and correct copy of the declaration of Walter Archer, without exhibits.

123. Attached to this declaration as **Exhibit 123** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00346859-61.

124. Attached to this declaration as **Exhibit 124** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00216812-14.

125. Attached to this declaration as **Exhibit 125** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665821. The audio recording is included at Exhibit 126.

126. **Exhibit 126** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665821. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

127. Attached to this declaration as **Exhibit 127** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665819. The audio recording is included at Exhibit 128.

128. **Exhibit 128** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665819. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

129. Attached to this declaration as **Exhibit 129** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665813. The audio recording is included at Exhibit 130.

130. **Exhibit 130** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665813. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

131. Attached to this declaration as **Exhibit 131** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665803. The audio recording is included at Exhibit 132.

132. **Exhibit 132** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665803. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

133. Attached to this declaration as **Exhibit 133** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during

discovery with the Bates number AMG_00665800. The audio recording is included at Exhibit 134.

134. **Exhibit 134** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665800. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

135. Attached to this declaration as **Exhibit 135** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665799. The audio recording is included at Exhibit 136.

136. **Exhibit 136** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665799. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

137. Attached to this declaration as **Exhibit 137** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665798. The audio recording is included at Exhibit 138.

138. **Exhibit 138** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665798. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

139. Attached to this declaration as **Exhibit 139** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665795. The audio recording is included at Exhibit 140.

140. **Exhibit 140** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665795. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

141. Attached to this declaration as **Exhibit 141** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665794. The audio recording is included at Exhibit 142.

142. **Exhibit 142** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665794. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

143. Attached to this declaration as **Exhibit 143** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665783. The audio recording is included at Exhibit 144.

144. **Exhibit 144** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665783. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

145. Attached to this declaration as **Exhibit 145** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665788. The audio recording is included at Exhibit 146.

146. **Exhibit 146** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665788.

A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

147. Attached to this declaration as **Exhibit 147** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665787. The audio recording is included at Exhibit 148.

148. **Exhibit 148** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665787. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

149. Attached to this declaration as **Exhibit 149** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00665782. The audio recording is included at Exhibit 150.

150. **Exhibit 150** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00665782. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

151. Attached to this declaration as **Exhibit 151** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00386305. The audio recording is included at Exhibit 152.

152. **Exhibit 152** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00386305. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

153. Attached to this declaration as **Exhibit 153** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00395407. The audio recording is included at Exhibit 154.

154. **Exhibit 154** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00395407. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

155. Attached to this declaration as **Exhibit 155** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00397034. The audio recording is included at Exhibit 156.

156. **Exhibit 156** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00397034. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

157. Attached to this declaration as **Exhibit 157** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00454921. The audio recording is included at Exhibit 158.

158. **Exhibit 158** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00454921. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

159. Attached to this declaration as **Exhibit 159** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during

discovery with the Bates number AMG_00460208. The audio recording is included at Exhibit 160.

160. **Exhibit 160** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00460208. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

161. Attached to this declaration as **Exhibit 161** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00431771. The audio recording is included at Exhibit 162.

162. **Exhibit 162** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00431771. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

163. Attached to this declaration as **Exhibit 163** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00664898.

164. Attached to this declaration as **Exhibit 164** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00664899.

165. Attached to this declaration as **Exhibit 165** is a true and correct copy of an excerpt from a document produced by AMG during discovery with the Bates numbers AMG_00664918. The full document is available to the Court upon request.

166. Attached to this declaration as **Exhibit 166** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00020485.

167. The FTC maintains a consumer complaints database, known as the Consumer Sentinel Network ("Sentinel"). The database contains complaints that consumers file directly with the FTC and complaints that other law enforcement authorities and consumer protection organizations receive and forward to the FTC. Attached to this declaration as **Exhibit 167** is a

true and correct copy of the following fields – Complaint Date, Consumer First Name, Consumer Last Name, Company Website, Complaint Info Comments – excerpted from Sentinel, and representing consumer complaints against 500FastCash, Ameriloan, USFastCash, UnitedCashLoans, and OneClickCash for the time period November 14, 2007 to February 15, 2013. All fields contained in the database have been previously produced to the Defendants and are available to the Court upon request.

168. Attached to this declaration as **Exhibit 168** is a true and correct copy of the following fields – Complaint Date, Consumer First Name, Consumer Last Name, Company Website, Complaint Info Comments – excerpted from Sentinel and representing consumer complaints against 500FastCash, Ameriloan, USFastCash, UnitedCashLoans, and OneClickCash for the time period November 14, 2007 to February 15, 2013 in which the consumer specifically alleges in the Complaint Info Comments field that the Defendants disclosed the loan would cost a certain amount, but then charged a different and higher amount.

169. (Intentionally omitted.)

170. (Intentionally omitted.)

171. Attached to this declaration as **Exhibit 171** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00055828-41.

172. (Intentionally omitted.)

173. Attached to this declaration as **Exhibit 173** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00004095.

174. Attached to this declaration as **Exhibit 174** is a true and correct copy of a document produced by the FTC during discovery with the Bates numbers FTC-CLK-00014845-53. This document is a copy of one of Defendants' training documents obtained by the FTC from a former AMG employee: its appearance, contents, substance, internal patterns, and other distinctive characteristics resemble those of other training documents and call scripts produced by Defendants.

175. Attached to this declaration as **Exhibit 175** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00055826.

176. Attached to this declaration as **Exhibit 176** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056621.

177. Attached to this declaration as **Exhibit 177** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056510.

178. Attached to this declaration as **Exhibit 178** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056285.

179. Attached to this declaration as **Exhibit 179** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00021430-32.

180. Attached to this declaration as **Exhibit 180** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00056656-57.

181. Attached to this declaration as **Exhibit 181** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG 00004400-6.

182. (Intentionally omitted.)

183. (Intentionally omitted.)

184. Attached to this declaration as **Exhibit 184** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00664880. The audio recording is included at Exhibit 185.

185. **Exhibit 185** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00664880. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

186. Attached to this declaration as **Exhibit 186** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during

discovery with the Bates number AMG_00664883. The audio recording is included at Exhibit 187.

187. **Exhibit 187** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00664883. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

188. Attached to this declaration as **Exhibit 188** is a true and correct copy of a transcript prepared at the request of the FTC of an audio recording produced by AMG during discovery with the Bates number AMG_00664881. The audio recording is included at Exhibit 189.

189. **Exhibit 189** to the FTC's summary judgment motion is a true and correct copy of an audio recording produced by AMG during discovery with the Bates number AMG_00664881. A disc containing the audio recording exhibits will be delivered to the Court's chambers at the conclusion of the summary judgment motion briefing.

190. Attached to this declaration as **Exhibit 190** is a true and correct copy of Red Cedar's Answer To FTC's Second Set Of Interrogatories.

191. Attached to this declaration as **Exhibit 191** is a true and correct copy of SFS's Answer To FTC's Second Set Of Interrogatories.

192. Attached to this declaration as **Exhibit 192** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00545885-87.

193. (Intentionally omitted.)

194. Attached to this declaration as **Exhibit 194** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00019315-18.

195. Attached to this declaration as **Exhibit 195** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00027128-32.

196. Attached to this declaration as **Exhibit 196** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00057032-33.

197. Attached to this declaration as **Exhibit 197** is a true and correct copy of a document produced by AMG during discovery with the Bates numbers AMG_00012196.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of September 2013.

/s/Nikhil Singhvi

Nikhil Singhvi